



महाराष्ट्र शासन राजपत्र

असाधारण भाग आठ

वर्ष ९, अंक १६]

मंगळवार, मार्च २१, २०२३/फाल्गुन ३०, शके १९४४

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असाधारण क्रमांक २६

प्राधिकृत प्रकाशन

महाराष्ट्र विधानमंडळाचे अधिनियम व राज्यपालांनी प्रख्यापित केलेले अध्यादेश व केलेले विनियम आणि विधि व न्याय विभागाकडून आलेली विधेयके (इंग्रजी अनुवाद).

In pursuance of clause (3) of article 348 of the Constitution of India, the following translation in English of the Maharashtra Unaided Private Professional Educational Institutions (Regulation of Admissions and Fees) (Amendment) Bill, 2023 (L. A. Bill No. XIV of 2023), introduced in the Maharashtra Legislative Assembly on the 21st March 2023, is hereby published under the authority of the Governor.

By order and in the name of the Governor of Maharashtra,

SATISH WAGHOLE,
Secretary (Legislation) to Government,
Law and Judiciary Department.

L. A. BILL No. XIV OF 2023.

A BILL

to amend the Maharashtra Unaided Private Professional Educational Institutions (Regulation of Admissions and Fees) Act, 2015.

WHEREAS it is expedient to amend the Maharashtra Unaided Private Professional Educational Institutions (Regulation of Admissions and Fees) Act, 2015, for the purposes hereinafter appearing; it is hereby enacted in the Seventy-fourth Year of the Republic of India, as follows:-

1. This Act may be called the Maharashtra Unaided Private Short title. Professional Educational Institutions (Regulation of Admissions and Fees) (Amendment) Act, 2023.

Amendment
of section 11
of Mah.
XXVIII of
2015.

2. In section 11 of the Maharashtra Unaided Private Professional Educational Institutions (Regulation of Admissions and Fees) Act, 2015,-

Mah.
XXVIII
of 2015.

(1) in sub-section (3),-

(a) for clauses (c) and (d), the following clauses shall be substituted, namely :-

“(c) two Chartered Accountants of repute who are members of the Institute of Chartered Accountants of India, for a period of not less than ten years .. Member

(d) two Cost Accountants of repute who are members of the Institute of Cost and Works Accountants of India, for a period of not less than ten years, or the financial experts of repute .. Member”;

(b) clause (f) shall be deleted;

(c) after clause (h), the following clauses shall be inserted, namely:-

“(h-1) the Commissioner, Medical Education

(h-2) the Director, Directorate of AYUSH, Maharashtra State .. Member
.. Member”;

(d) for clause (j), the following clause shall be substituted, namely:-

“(j) an officer of the State Government not below the rank of Joint Secretary. .. Member-Secretary.”;

(2) after sub-section (4), the following sub-sections shall be inserted, namely:-

“(4A) The Chairperson may invite the Registrar of any University in the State of Maharashtra as an invitee member when the business of the Fees Regulating Authority pertaining to the professional courses concerned with that University is transacted.

(4B) The Chairperson may also invite any person or officer from the field of Higher Education, Technical Education, Medical and Health Science, Architecture, Agriculture, Ayurved Medicine, Homeopathy, Dental, Nursing or Pharmacy Education for obtaining their expert opinion. Such expert invitees may participate in the proceedings of the meetings of the Fees Regulating Authority, but they shall have no right to vote.”;

(3) in sub-section (5), for the word “member”, the words “member or experts” shall be substituted.

STATEMENT OF OBJECTS AND REASONS

Section 11 of the Maharashtra Unaided Private Professional Educational Institutions (Regulation of Admissions and Fees) Act, 2015 (Mah. XXVIII of 2015) provides for constitution of the Fee Regulating Authority to determine reasonableness of fees structure of the professional education imparted by the Unaided Private Professional Educational Institutions. The said Authority consists of a Chairperson who is a retired judge of High Court or retired officer of the Government of the rank of Chief Secretary and members who are an eminent educationist, one Chartered Accountant, one Cost Accountant, an expert in professional education and other official members.

2. The said Authority while deciding the proposals and finalizing the reasonableness of fees structure has to primarily consider the income and expenditure incurred by the institution during the preceding year, estimated budget for current academic year, sanctioned intake capacity, etc.

The Authority primarily requires the assistance of the Chartered Accountant and the Cost Accountant to scrutinize individual proposals and assess the correctness of the factual statement made about income and expenditure by each institution. Hence, additional one Chartered Accountant and one Cost Accountant member have been proposed to be appointed on the said Authority.

3. The Government also considers it necessary to appoint the Commissioner, Medical Education and the Director, Directorate of AYUSH, Maharashtra State, as members of the Authority.

It is also proposed to provide that the Chairperson may invite the Registrar of any university in the State of Maharashtra and the experts from various fields of professional education, such as Higher Education, Technical Education, Medical and Health Science, etc., to give advice to the Authority.

4. For the above purposes, the Government considers it expedient to amend section 11 of the Maharashtra Unaided Private Professional Educational Institutions (Regulation of Admissions and Fees) Act, 2015, suitably.

5. The Bill seeks to achieve the above objectives.

Mumbai,
Dated the 20th March 2023.

CHANDRAKANT (DADA) PATIL,
Minister for Higher and
Technical Education.